

FORM PTO-1390 (REV. 12-2001)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER 4858
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371			U.S. APPLICATION NO. (If known, see 37 CFR 1.5 unknown 10/528440 assigned
INTERNATIONAL APPLICATION NO. PCT/JP2004/005649	INTERNATIONAL FILING DATE 20 April 2004 (20.04.2004)	PRIORITY DATE CLAIMED 25 April 2003 (25.04.2003) 22 May 2003 (22.05.2003)	
TITLE OF INVENTION Method of Fabricating Semiconductor Device			

APPLICANT(S) FOR DO/EO/US
Kazuhiro FUJIKAWA; Shin HARADA

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). The Translation
 - a. ☒ is attached hereto, along with a Translator's Declaration is accurate.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)) (copy - 3 pages).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98, Form PTO-1449, copy of Int. Search Report, 4 English Abstracts, 1 Partial Eng. Translation, 2 references
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
14. ☒ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☒ Other items or information:
 - a. a return receipt postcard;
 - b. Form PTO-2038 to cover filing fee, search fee, examination fee and fee for Assignment Recordal;
 - c. 3 sheets formal drawings with 12 figures (Figs. 1A, 1B, 1C, 1D, 1E, 2, 3, 4A, 4B, 4C, 4D, 4E).

NOTE: The priority of Japanese Applications 2003-122240, filed in Japan on April 25, 2003; and 2003-144624, filed in Japan on May 22, 2003 is claimed for the present Application under 35 U.S.C. §119.

NOTE: The entire disclosure of PCT International Application PCT/JP2004/005649 is incorporated herein by reference.

NOTE: This Application has been assigned to: Sumitomo Electric Industries, Ltd. of: 5-33, Kitahama 4-chome, Chuo-ku, Osaka-shi, Osaka 541-0041 Japan. The Assignment is being submitted herewith for recordal.

NOTE: Please print the Assignee data with the Published Application.

EXPRESS MAIL
EV 511 024 616 US
MARCH 18 2005

U.S. APPLICATION NO. (7) <u>unknown</u> <u>10/528440</u>		INTERNATIONAL APPLICATION NO. PCT/JP2004/005649		ATTORNEY'S DOCKET NUMBER 4858	
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21. ☒ The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):
 Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO. *With Int. Search Report*

National Phase filing fee (\$300), Search fee (\$400), Examination fee (\$200) = \$900.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ~~\$140.00~~

International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ~~\$140.00~~

International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ~~\$140.00~~

ENTER APPROPRIATE BASIC FEE AMOUNT = \$ 900.00

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(e)). \$ 0

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$
Total claims	<u>23</u> - 20 =	<u>3</u>	x \$48.00 50	\$ 150.00
Independent claims	<u>2</u> - 3 =	<u>0</u>	x \$84.00	\$ 0
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$280.00
TOTAL OF ABOVE CALCULATIONS =				\$ 1050.00

☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. \$ 0

SUBTOTAL = \$ 1050.00

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(f)). \$ 0

TOTAL NATIONAL FEE = \$ 1050.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + \$ 40.00

TOTAL FEES ENCLOSED = \$ 1090.00

Amount to be refunded:	\$
charged:	\$

CALCULATIONS PTO USE ONLY

a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any deficiency in or any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-0507. ~~ANY ADDITIONAL FEES CHARGED SHALL BE DEPOSITED IN THE USPTO DEPOSIT ACCOUNT~~

d. ☒ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

The Power of Attorney and the Correspondence Address for this Application are to CUSTOMER NO.: 021553.

 SIGNATURE

Walter F. Fasse - 03/18/05
 NAME

36132
 REGISTRATION NUMBER

Walter Fasse 3/18/05

USPS EXPRESS MAIL
EV 511 024 616 . US .
MARCH 18 2005

10/528440
Docket # 4858/PCT
Inv.: Kazuhiro FUJIKAWA
Shin HARADA
JC06 Rec'd PCT/PTO 18 MAR 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re International Application of Kazuhiro FUJIKAWA et al.
International Serial Number: PCT/JP2004/005649
International Filing Date: April 20, 2004
For: Method of Fabricating Semiconductor Device

VERIFICATION OF TRANSLATION


Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231
Sir:

Gihei NAKAMURA, residing at c/o Fukami Patent Office, Mitsui Sumitomo Bank Minamimorimachi Bldg., 1-29, Minamimorimachi 2-chome, Kita-ku, Osaka-shi, Osaka, Japan, declares:

- (1) that he knows well both the Japanese and English languages;
- (2) that he translated the above-identified International Application from Japanese to English;
- (3) that the attached English translation is a true and correct translation of ~~the above-identified International Application~~ to the best of his knowledge and belief; and
- (4) that all statements made of his own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated this 16th day of March, 2005

Translator's Signature: _____


Gihei Nakamura